

**Notice of Allowability**

Application No.

09/662,630

Examiner

Kelly L. Jerabek

Applicant(s)

MIYAZAKI ET AL.

Art Unit

2612

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Amendment filed 1/5/2006.
2. ☒ The allowed claim(s) is/are 1, 3-5 (renumbered as 2-4 respectively), 8-9 (renumbered as 5-6 respectively), and 11-22 (renumbered as 7-18 respectively).

3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) ☒ All b) ☐ Some\* c) ☐ None of the:

1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.

(b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

Paper No./Mail Date 1/19/2006.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☒ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other \_\_\_\_\_

  
NGOC-YEN VU  
PRIMARY EXAMINER

### **EXAMINER'S AMENDMENT**

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bob Webster on 1/19/2006.

The application has been amended as follows:

Please cancel claims 6-7.

Please amend S46 of figure 8 as follows: "storongest" should be "strongest".

### ***Allowable Subject Matter***

**Claims 1, 3-5 (renumbered as 2-4 respectively), 8-9 (renumbered as 5-6 respectively), and 11-22 (renumbered as 7-18 respectively) are allowed.**

The following is an examiner's statement of reasons for allowance:

Re claims 1, 3-5 (renumbered as 2-4 respectively), 8-9 (renumbered as 5-6 respectively), and 11-13 (renumbered as 7-9 respectively), the prior art fails to teach or suggest, "A video image producing method and apparatus, comprising: providing a studio with a video-taking box having four stationary walls facing one another and stationary screens on the four walls of the video-taking box; displaying a movie as a background image on at least one of the screens; taking video of a subject located in the video taking box and the background image...; providing a treadmill in a floor...; controlling speed of the treadmill by the subject; and controlling moving speed of the background image in order to synchronize both of the speeds".

Re claims 14 and 15, the prior art fails to teach or suggest, "A video image producing apparatus comprising: a video taking box...; a projector...; an image storing device...; a projector control device...; a video camera...; a treadmill...; a control device...; wherein said video image producing apparatus takes video by overlapping the subject with the background image; and wherein the entire wall of said video taking box is the screen, and a plurality of pairs of video cameras and illumination devices are built in said screen".

Re claims 16 (renumbered as 12) and 22 (renumbered as 18), the prior art fails to teach or suggest, "A video image producing method and apparatus, comprising: providing a video taking enclosure having a plurality of individual stationary walls which

Art Unit: 2612

accommodate a subject; providing a plurality of projectors, each of which displays a sequence of images on one of a plurality of wall screens associated with each individual wall of the video taking enclosure; and providing a plurality of video cameras, each of which views a different individual wall screen of the video taking enclosure; and taking video by all of the cameras of both the subject and a background image viewed by a given camera”.

Re claim 17, the prior art fails to teach or suggest, “A video image producing method comprising: providing a video taking enclosure...; providing a plurality of projectors...; providing a plurality of video cameras... wherein the video is taken by a camera having a straight line of sight to a projector”.

Re claim 18, the prior art fails to teach or suggest, “A video image producing method comprising: providing a video taking enclosure...; providing a plurality of projectors...; providing a plurality of video cameras ... wherein the plurality of projectors do not directly illuminate the subject”.

Re claims 19-20, the prior art fails to teach or suggest, “A video image producing method comprising: providing a video taking enclosure...; providing a plurality of projectors...; providing a plurality of video cameras ... selecting from at least one of the plurality of video cameras to take the video, wherein each of the plurality of cameras directly views the subject and one of a plurality of screens”.

Re claim 21, the prior art fails to teach or suggest, "A video image producing method comprising: providing a video taking enclosure...; providing a plurality of projectors...; providing a plurality of video cameras ...displaying a plurality of movies on the plurality of screens, wherein each one of the plurality of movies is separately displayed on each screen of the plurality of screens, and further wherein the plurality of screens surround the subject".

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Contacts***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kelly L. Jerabek whose telephone number is **(571) 272-7312**. The examiner can normally be reached on Monday - Friday (8:00 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ngoc Yen Vu can be reached on **(571) 272-7320**. The fax phone number for submitting all Official communications is 703-872-9306. The fax phone number for

Art Unit: 2612

submitting informal communications such as drafts, proposed amendments, etc., may be faxed directly to the Examiner at **(571) 273-7312**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KLJ



NGOC-YEN VU  
PRIMARY EXAMINER